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5 **IN THE UNITED STATES DISTRICT COURT**  
6 **FOR THE DISTRICT OF ARIZONA**

7 United States of America,  
8 Plaintiff,  
9 vs.  
10 Mark Anthony Rissi,  
11 Defendant.

Case No. 2:22-cr-01283-DWL-1

12 **DEFENDANT'S SENTENCING  
MEMORANDUM**

13 (Redacted Version)

14  
15 The Defendant Mark Anthony Rissi, through his attorney, submits this  
16 Sentencing Memorandum respectfully requests that the Court grant Defendant a  
17 variance and sentence Mr. Rissi to a term of imprisonment of Twelve months plus  
18 one day followed by a term of supervised release.

19 **I. A Sentence of 12 Months 1 Day is Warranted under 18 U.S.C. §§ 3553(a)**

20  
21 The federal sentencing statute requires that the court tailor an  
22 individualized sentence that is “sufficient, but not greater than necessary” to comply  
23 with the purpose of 18 U.S.C. § 3553(a)(2), and, in “determining the particular  
24 sentence to be imposed, shall consider--

- 25 (1) the nature and circumstances of the offense and the history and  
characteristics of the defendant;

1  
2       (2) the need for the sentence imposed—  
3

- 4                   (A) to reflect the seriousness of the offense, to promote respect for the  
5                   law, and to provide just punishment for the offense;  
6  
7                   (B) to afford adequate deterrence to criminal conduct;  
8  
9                   (C) to protect the public from further crimes of the defendant; and  
10                  (D) to provide the defendant with needed educational or vocational  
11                  training, medical care, or other correctional treatment in the most  
12                  effective manner.

13  
14                  18 U.S.C. §§ 3553(a).

15                  **A. The History and Character of the Defendant**

16                  Mr. Rissi was born to Donald Louis and Joan Rose Rissi in Belleville, Illinois.  
17                  (PSR ¶52.) When Mr. Rissi was 14 his father passed away while serving as a pilot  
18                  in the United States Air Force when his bomber crashed in Vietnam. (PSR ¶¶52-53.)  
19                  After his father passed away, Mr. Rissi was primarily raised by his mother. (PSR  
20                  ¶53.) Mr. Rissi described his childhood as “good” until his father passed away, and  
21                  caused his family to struggle financially where he had to start working. *Id.* [REDACTED]

22  
23                  [REDACTED]  
24                  [REDACTED]  
25                  [REDACTED]

26  
27                  Mr. Rissi currently resides in the Cedar Rapids, Iowa area since 2012. (PSR  
28                  ¶57.) [REDACTED]  
29                  [REDACTED]  
30                  [REDACTED]  
31                  [REDACTED]

1 [REDACTED] [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED] Because of his physical condition, he states that it takes him  
6 approximately 1.5 hours to get out of bed in the morning and he requires the  
7 assistance of one or two canes to move depending on how he feels. Id. [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]

12 Mr. Rissi's brother Tommy, passed away in July of 2017 from an autoimmune  
13 disease. (PSR ¶52.) In 2018, Mr. Rissi's mother-in-law passed away. (PSR ¶60.) His  
14 wife Mary Ann Rissi followed when she died later that year from complications  
15 related to Alzheimer's disease. (PSR ¶¶ 55, 60.) Mr. Rissi reports that he took care  
16 of Mary Ann's every need from 2012 to 2018, while serving has her caretaker as she  
17 struggled with her condition and she dwindled physically and mentally. Mr. Rissi  
18 reports that this caused him great mental anguish. Mr. Rissi believes that he believes  
19 he experiences PTSD from these events, although he has never been in any mental  
20 health treatment. (PSR ¶¶ 60.) Subsequently, in September of 2021 and just prior  
21 to count one of the indictment in this matter, Mr. Rissi's mother passed away; she  
22 had suffered a stroke and had dementia. (PSR ¶¶ 52.)  
23  
24

1                   **B. The Nature and Circumstances of the Offense**

2                   Mr. Rissi pled guilty to Counts One and Three of the indictment charging Mr.  
3 Rissi with one violation each of 18 U.S.C. § 875(c) Interstate Threat, each Class D  
4 offenses. [Dkt. 3] Mr. Rissi admitted that on two occasions he placed phone calls from  
5 Iowa to Arizona where he left a threatening message on each occasion. [Dkt. 30]  
6 Those messages were left for Arizona public officials. Id.

7                   The first phone call took place on September 27, 2021. Id. This call took place  
8 soon after Mr. Rissi's return from Florida after the passing of his mother. Mr. Rissi  
9 had traveled to Florida and stayed for approximately ten to twelve days while his  
10 mother's death was imminent and ultimately took place. During that time, and in  
11 his weakened emotional state, Mr. Rissi was inundated with misinformation and  
12 exaggerations regarding the election process in Arizona. In addition, he had  
13 individuals pushing false theories regarding the administration of the election  
14 process in Arizona. Prior to his mother's death he was spending considerable time  
15 with her at her hospice care facility in Palm Beach and was not getting much sleep.  
16

17                  Upon his return to Iowa after his mother's death, he continued to see and hear  
18 misinformation and fabrications regarding the administration of the election in  
19 Arizona. At the time, Mr. Rissi believed the information to be true. During his  
20 depression regarding the death of his mother, the multiple deaths of his family since  
21 2017, his pain [REDACTED], his lack of sleep, and his mental  
22 state [REDACTED] he resorted to leaving the two messages that  
23 he plead guilty to on this matter. [REDACTED]

1  
2 He was having difficulty sleeping and he describes himself as “out of sorts” due to his  
3 pain and the death of his mother.

4 Mr. Rissi has taken full responsibility for his actions and has not made excuses  
5 for his conduct. When he was contacted by the FBI at his home in Iowa, he made it  
6 clear that he had no intention to carry out any threats, go to Arizona, or harm anyone  
7 in anyway. Mr. Rissi is remorseful for his actions and stated that it was a horrible  
8 thing to call someone and make threats against others. (PSR ¶21.) Mr. Rissi stated  
9 that there is no excuse for what he did, and had he been in his right state of mind, he  
10 would have never engaged in the conduct. Id. Mr. Rissi has no criminal history (PSR  
11 ¶¶ 46-47) and to date has been fully compliant while on Pretrial release. [Dkt. 37]

12  
13  
14 **C. The Seriousness of the Offense, Just Punishment, and Respect for the**  
**Law**

15  
16 The Court may vary from the applicable guidelines based upon the sentencing  
17 factors enumerated in 18 U.S.C. §3553(a), for the reasons enumerated in the  
18 memorandum including the need to avoid unwarranted sentencing disparities among  
19 similarly situated individuals. Counsel on behalf of Mr. Rissi is requesting a variance  
20 from the advisory guideline range in order to promote sentencing parity. As a result,  
21 a term of Twelve months plus one day of imprisonment would be appropriate for this  
22 case. The requested sentence taken as a whole, will reflect the seriousness of the  
23 offense, promote respect for the law, provide just punishment, protects the public,  
24  
25

1 will deter future criminal conduct, and provides necessary correctional treatment.

2 **RESPECTFULLY SUBMITTED** Tuesday, August 8<sup>th</sup>, 2023.

3 **KNOWLES LAW FIRM, PLC**

4 By: /s/ Anthony J. Knowles  
5 Anthony J. Knowles, State Bar  
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## MAIL CERTIFICATE

**I HEREBY CERTIFY THAT ON THE EIGHTH DAY OF AUGUST 2023, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:**

THE HONORABLE JUDGE DOMINIC W. LANZA  
UNITED STATES DISTRICT COURT  
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BY: ANTHONY J. KNOWLES

/s/ Anthony J. Knowles